

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)
)
U.S. Patent No.: 5,830,887)
) Group Art Unit: Not yet assigned
Inventor: Graham Edmund KELLY)
) Examiner: Not yet assigned
Issued: November 3, 1998)
)
Serial No.: Not yet assigned)
)
Filed: June 22, 2000)
)
For: HEALTH SUPPLEMENTS CONTAINING)
PHYTO-OESTROGENS, ANALOGUES)
OR METABOLITES THEREOF)

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), the Patent Owner brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed upon the submission of the application for reissue of the '887 patent.

The documents cited in this Information Disclosure Statement were largely obtained from opposition proceedings on patents related to the '887 patent in Australia and New Zealand.

Copies of the listed documents are attached.

In addition to the documents cited on the PTO 1449, we have enclosed the following documents for consideration by the Examiner:

1. Statutory Declaration of Joseph Nicolas Van Haaster. Please note that this document contains a concise explanation of the relevance of the only non-English language document cited (Walz).

2. Statutory Declaration of Norbert Krause.
3. Statutory Declaration of Hubert Regtop.
4. Statutory Declaration of Kerry Martin Bone.
5. Statutory Declaration of Nancy Beckham.
6. Statutory Declaration of Michael Wootton
7. Statutory Declaration of Ian Richard Neering
8. Statutory Declaration of G. Clements.
9. Statutory Declarations of Fiona Bathgate.
10. Statutory Declaration of Julie Hill.
11. Statutory Declaration of Ngaire Pettit-Young.
12. Statutory Declaration of Jennifer Carpinelli.
13. Statutory Declaration of Ian Thomas Ernst.
14. Supplemental Statutory Declaration of Kerry Martin Bone, and attached papers.
15. Supplemental Statutory Declaration of Nancy Beckham.

These declarations were filed in the opposition proceedings noted above.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and the Patent Owner determines that the cited documents do not

U.S. Patent No. 5,830,887
Attorney Docket No. 7579.0001

Novogen Research Pty Ltd. hereby offers to surrender U.S. Patent 5,830,887 when the reissue application is otherwise in condition for allowance.

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of the assignee.

By: [Signature]
Name: RONALD LEA GERRATT
Title: SECRETARY
Date: 15. MAY 2000

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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constitute "prior art" under United States law, the Patent Owner reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

The Patent Owner further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Jean Burke Fordis
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Date: June 22, 2000

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